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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,979	03/30/2001	Abner Lerner	0325.00363	8947

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EXAMINER

LY, ANH VU H

ART UNIT PAPER NUMBER

2667

DATE MAILED: 10/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/822,979

**Applicant(s)**

LERNER, ABNER

**Examiner**

Anh-Vu H Ly

**Art Unit**

2667

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Drawings*

1. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-7, 11-18, and 20 are rejected under 35 U.S.C. 102(a) as being anticipated by the admitted prior art disclosed in the specification on pages 1-2 and Fig. 1.

With respect to claims 1, 12, and 13, the admitted prior art discloses in Fig. 1, a block diagram of a conventional communication protocol for the broadcast of the first and the last event detection (one or more stations each configured to receive a signal from a communication channel comprising event detection information) using an electrical communication channel (a communication channel). As shown in Fig. 1, each station communicates information to another

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station over the channels L14 and L16 (wherein one or more stations are configured to share event detection information).

With respect to claims 2 and 14, the admitted prior art discloses in Fig. 1, that either channel 14 or channel 16 can be used by any of the stations 1-N to share the local events among the stations (wherein said communication channel comprises a shared communication channel).

With respect to claim 3, the admitted prior art discloses in Fig. 1, a conventional approach for implementing a communication protocol (wherein said apparatus comprises a communication protocol).

With respect to claims 4, 16, and 17, the admitted prior art discloses on page 1, line 20 – page 2, line 9 that each station has an input to receive and detect a local event signal (wherein event detection information comprises timing information). The stations then present a signal on the first and second communication channels 14 and 16 in response to the local events. Either channel 14 or 16 contains the information about a first local event detected or the last local event detected (timing information for a first local event and last local event).

With respect to claims 5 and 15, the admitted prior art discloses on page 1, line 20 – page 2, line 2 that each station has an input to receive a local event signal LOCALa-LOCALn (wherein each of one or more stations is further configured to receive one or more local events).

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With respect to claim 6, the admitted prior art discloses in Fig. 1, that each station is coupled to the channels 14 and 16 for transmitting and receiving information regarding the local events (a receive and transmit module configured to receive and transmit signal on the communication channel).

With respect to claim 7, the admitted prior art discloses on page 2, lines 3-5, that stations 12a-12n present a signal on the first and second communication channels 14 and 16 in response to the local events LOCALa-LOCALn (wherein each of one or more transmit modules is configured to present said signal).

With respect to claim 11, the admitted prior art discloses in Fig. 1, a circuit 10 comprises a plurality of stations. Herein, each station comprises memory for storing data information (wherein each of one or more stations comprises a plurality of buffers).

With respect to claim 18, the admitted prior art discloses on page 2, lines 6-9 that either communication channel 14 or channel 16 contains information regarding first local event or last local event (sharing event detection information within a time window).

With respect to claim 20, the admitted prior art discloses on page 2, lines 10-14, that communication channel 14 performs a wired-NOR function, thereby carrying information about the detection of the first event. The second communication channel 16 performs a wired-AND

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function, thus carrying information about the detection of the last event (determining a first and last local event).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 8-10 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art disclosed in the specification on pages 1-2 and Fig. 1.

With respect to claims 8-10, the admitted prior art discloses in Fig. 1, a block diagram of a conventional communication protocol for the broadcast of the first and the last event detection. The admitted prior art does not disclose wherein each of one more stations comprises one or more delay circuits and wherein one or more delay circuits comprising a receive time delay circuit and a transmit time delay circuit. However, stations having delay components for delaying transmitted and received signals are well known in the art. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include delay components in the admitted prior art's system, to accommodate differential delays among the stations located remotely from each other.

With respect to claim 19, the admitted prior art discloses in Fig. 1, a block diagram of a conventional communication protocol for the broadcast of the first and the last event detection.

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The admitted prior art does not disclose the step of acknowledging event detection information. However, acknowledgement for the transmitted messages is well known technique in the art. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include acknowledge mode in the admitted prior art's system, to increase quality of service.

### *Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Stirling et al (US Patent No. 5,923,662) discloses communication system message acknowledgement.


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh-Vu H Ly whose telephone number is 571-272-3175. The examiner can normally be reached on Monday-Friday 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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TECHNOLOGY CENTER 2600 10/18/07